

FISCAL NOTE

SB 2414

January 4, 2006

SUMMARY OF BILL: Extends the current forfeiture of Tennessee retirement benefits to public employees or officials convicted of a state or federal felony arising out of their employment or official capacity whose membership in the retirement system predates the effective dates of the forfeiture statutes.

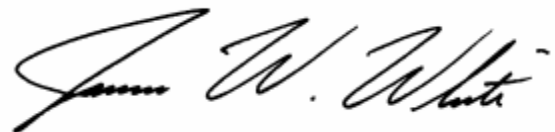
ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – If certain employees and officials in the future were denied retirement benefits that would not have been denied in the absence of this bill, a savings in expenditures from the retirement system would occur. Any such savings would depend on the number of persons affected and the level of benefits that would have been received by such persons. These savings cannot be precisely quantified, but are reasonably estimated to exceed \$100,000 over time.

Note: The Attorney General has opined that it would be unconstitutional to apply the forfeiture provisions to retirement system members who entered their plans before the effective dates of the provisions changing the law (July 1, 1982 and May 31, 1993, respectively) absent the consent of the affected members. See Tennessee Attorney General Opinion No. 05-114 (July 19, 2005). If this bill were held unconstitutional, the fiscal impact would not be significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly distinguishable.

James W. White, Executive Director